

Consideration of Homestead Resources

Additional Frequently Asked Questions

9. When does this impact someone already in a nursing facility? In other words, someone admitted further back than six months prior to September 1, 2003, are they to lose eligibility upon their next case review? If yes, then when? Immediately at the start of the next month or some other date? An individual who has been in a facility for 6 months or more will have the homestead reviewed to determine if it is a countable resource the next time the case is reviewed.
10. Please expand on "if an individual intends to return to the home, it may continue to be excluded as a resource." What will Medicaid require as evidence of this intent?
At the time of the case review, an individual will be required to specify in a written statement if he intends to return to the homestead, and if so, when.
11. If someone has compelling proof they are attempting to sell their home does the value of the home remain excluded from consideration? If so, what constitutes valid proof of an attempt to sell? Also, what if they put the home up for sale at time of case review thereafter? Does it already have to be "listed on the market" at date of case review?
The home will be reviewed at the time of the case review and a determination will be made if the home is to be considered a countable resource. If it is countable the individual will be advised and a good faith effort will need to be displayed at that time. A good faith effort can be signing a contract with a realtor, listing the property in the local newspaper, local access stations etc.
12. Assuming having the home on the market continues to qualify someone for Medicaid eligibility is there any time limit on when the home must be sold or eligibility lost?
The home can be excluded as long as a good faith effort is being made to sell the home.
13. At what point will the value of the homestead affect the eligibility of a patient?
The value of the homestead will affect the eligibility of the individual when there is no longer a demonstration of a good faith effort or if the individual decides not to attempt to dispose of the property.
14. The revision of the **Transfer of Resources (Joint Tenancy)** was effective September 1, 2003, but is attached to a look-back period of 3 years. Does this mean that anyone who has added another person's name to an asset in the past three years, but is currently applying for Medicaid will not be eligible?
There is no change to the Federally required 3-year look back period. Anyone applying for Medicaid is subject to the rules at the time of application. If a transfer of assets has taken place within 3 years of the application date or a trust has been established within 5 years, and fair market value was not received for the asset, a penalty period will be established.